

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
No. 1:21-CV-0001-GCM

LESLIE HOXIT,)
)
Plaintiff,)
)
v.)
)
MARTIN O'MALLEY,)
Commissioner of)
Social Security,)
)
Defendant.)
_____)

ORDER

This matter is before the Court upon Plaintiff's Motion for Attorney Fees pursuant to 42 U.S.C. § 406(b). Defendant filed a response neither supporting nor opposing the fee request, but stating that under *Gisbrecht v. Barnhart*, 535 U.S. 789 (2002), it is the duty of the Court to determine a reasonable fee. After considering the factors identified by the Fourth Circuit in *Mudd v. Barnhart*, 418 F.3d 424, 428 (4th Cir. 2005), the Court finds the fees requested to be reasonable.

IT IS THEREFORE ORDERED that Plaintiff's counsel be awarded fees under 42 U.S.C. § 406(b) in the amount of \$25,196.25. Plaintiff's counsel will reimburse Plaintiff any fees he previously received under the Equal Access Justice Act (EAJA), 28 U.S.C. § 2412.

Signed: March 4, 2024



Graham C. Mullen
United States District Judge

